## **United States Department of Labor Employees' Compensation Appeals Board**

J.G., Appellant	) )
and	) Docket No. 21-0796  Lowed Avgret 16, 2021
TENNESSEE VALLEY AUTHORITY, PARADISE FOSSIL PLANT,	) Issued: August 16, 2021
Drakesboro, KY, Employer	) )
Appearances: Appellant, pro se	Case Submitted on the Record
Office of Solicitor, for the Director	

## **ORDER DISMISSING APPEAL**

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
PATRICIA H. FITZGERALD, Alternate Judge

On April 29, 2021 appellant sought an appeal from a purported "2019" decision of the Office of Workers' Compensation Programs. The Clerk of the Appellate Boards docketed the appeal as No. 21-0796.

The Board, having duly considered the matter, notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.<sup>1</sup> This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed his appeal.<sup>2</sup> The case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal.<sup>3</sup> The most recent final adverse decision was issued by OWCP on July 1, 2016 regarding

<sup>&</sup>lt;sup>1</sup> 5 U.S.C. § 8101, et seq.; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>&</sup>lt;sup>2</sup> 20 C.F.R. § 501.3(e) provides in pertinent part: "Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP."

 $<sup>^3</sup>$  Id.

the denial of an increased schedule award.<sup>4</sup> As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 21-0796 must be dismissed. Accordingly,

## **IT IS HEREBY ORDERED THAT** the appeal docketed as No. 21-0796 is dismissed.

Issued: August 16, 2021 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> Janice B. Askin, Judge Employees' Compensation Appeals Board

> Patricia H. Fitzgerald, Alternate Judge Employees' Compensation Appeals Board

<sup>&</sup>lt;sup>4</sup> The Board also affirmed February 26 and March 22, 2016 OWCP decisions regarding the same issue. *See* Docket No. 16-1533 (issued March 15, 2018).